

Notice of Allowability

Application No.

10/064,783

Examiner

Narayanswamy Subramanian

Applicant(s)

LEDERMAN, LAWRENCE

Art Unit

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/4/2007.
2. ☒ The allowed claim(s) is/are 1,5-17 and 121-123.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This communication is in response to Applicant's communications filed on May 4, 2007. Amendments to claim 1 and cancellation of claim 2 have been entered. Claims 1, 5-17 and 121-123 are pending in this application. Rejections made in the last office action are withdrawn in view of the amendments. The informal drawings filed by the applicants on August 16, 2002 were good only for examination purposes. Formal legible replacement drawings are required before the payment of issue fees.

Allowable Subject Matter

2. The following is a statement of reasons for the indication of allowable subject matter:

3. The prior art of record (King US Patent 6,148,293) teaches a method for creating an incentive for an entity to limit its accumulation of debt issued by a company, the method including the steps of issuing a debt in the form of a debt instrument by the company; purchasing the debt by the entity; determining a debt concentration threshold by the company; and the company issuing a new debt instrument with a changed parameter.

Even though, the prior art of record teaches the above-mentioned features, the prior art of record fails to teach a method for creating an incentive for an entity to limit its accumulation of debt issued by a company, including the steps of associating a condition with the debt instrument, the condition changing at least one parameter of the debt instrument, the condition occurring when the entity holds more of the debt than the debt concentration threshold; and changing the at least one parameter of the debt instrument upon the occurrence of the condition.

For these reasons claim 1 is deemed to be allowable over the prior art of record and claims 5-17 and 121-123 are allowed by dependency on an allowed claim.

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee, and to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled Comments on Statement of Reasons for allowance.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(a) Dunning et al. (US Patent 7,127,423 B2) (October 24, 2006) System and Method for Creating and Administering an Investment Instrument.

(b) Hagan (US Patent 5,291,398) (March 1, 1994) Method and System for Processing Federally Insured Annuity and Life Insurance Investments.

(c) Perg et al. (US Patent 5,237,500) (August 17, 1993) System and Process for Converting Constant Dollar Financial Instruments.

(d) Leon et al. (US Patent 4,742,457) (May 3, 1988) System and Method of Investment Management Including Means to Adjust Deposit and Loan Accounts for Inflation.


(e) Vitagliano et al. (US Patent 5,206,803) (April 27, 1993) System for Enhanced Management of Pension-Backed Credit

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Narayanswamy Subramanian whose telephone number is (571) 272-6751. The examiner can normally be reached Monday-Thursday from 8:30 AM to 7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

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supervisor, Andrew Fischer can be reached at (571) 272-6779. The fax number for Formal or Official faxes and Draft to the Patent Office is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PMR or Public PAIR. Status information for unpublished applications is available through Private PMR only. For more information about the PMR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Dr. N. Subramanian
Art Unit 3692
Primary Examiner

May 29, 2007